



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region II

Subject: POLREP #6
738 Upper Mountain Road Site Assessment
738 Upper Mountain Road Site
A23N
Lewiston, NY
Latitude: 43.1553400 Longitude: -79.0221310

To: Angela Carpenter, USEPA Region 02
James Doyle, USEPA Region 02
Walter Mugdan, USEPA Region 02
John Prince, USEPA Region 02

From: Eric Daly, On-Scene Coordinator

Date: 8/13/2017

Reporting Period: June 30, 2016 through August 13, 2017

1. Introduction

1.1 Background

Site Number:	A23N	Contract Number:	
D.O. Number:		Action Memo Date:	
Response Authority:	CERCLA	Response Type:	Time-Critical
Response Lead:	EPA	Incident Category:	Removal Assessment
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	10/25/2016	Start Date:	10/25/2016
Demob Date:		Completion Date:	
CERCLIS ID:	NYN000206697	RCRIS ID:	
ERNS No.:		State Notification:	
FPN#:		Reimbursable Account #:	

1.1.1 Incident Category

Removal Assessment

1.1.2 Site Description

The 738 Upper Mountain Road (738 UMR) Site (EPA ID No. NYN000206697) consists of a small area of radionuclide contamination located at geographic coordinates 43.15553, -79.02245 (tax parcel 115.08-1-27) in Lewiston, NY. The area of observed contamination is approximately 1,493 square feet (ft²) and is located on the vacant parcel 115.08-1-27, which is owned by Talarico Bros. Building Corp (TBBC) and covers approximately 10.2 acres.

1.1.2.1 Location

738 Upper Mountain Road, Lewiston, NY 14092

1.1.2.2 Description of Threat

Unsecured radioactive slag material in a publically accessible property. The contaminants of concern are Radium-226 and Radium-228.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

The area of observed contamination is located at the entrance of the driveway that is currently utilized by the 738 Upper Mountain Road residence, although was historically used as an access road to the vacant property owned by TBBC. The residence is on a separate property from the area of contamination. The 738 UMR site is bordered to the north by Upper Mountain Road, residential properties, and a further wooded area; to the east and west by residential properties; and to the south by a wooded area.

In July 1985, members of the Radiological Survey Activities (RSA) group at Oak Ridge National Laboratory (ORNL) performed the radiological survey of 738 Upper Mountain Road, which documented a maximum gamma exposure rate of 710 microRoentgens per hour (μ R/hr). The area with these readings was an area approximately 10 feet wide by 59 feet in length along a ditch and gravel residential driveway. The survey showed that the 738 Upper Mountain Road anomaly is associated with the asphalt driveway that contained a phosphate slag material. This rocky-slag waste material was used for bedding under asphalt surfaces and in general gravel applications at the UMR site and 61 other locations in the Niagara Falls area identified by ORNL. Biased surface soil samples collected in conjunction with the study indicated the presence of radium-226 (Ra-226), uranium-238 (U-238), and thorium-232 (Th-232) at the 738 UMR site. The subsequent November 1986 report stated that all the contaminated soil and rock samples collected had approximately equal concentrations of Ra-226 and U-238, which suggested to the investigators that the rocks probably originated from a singular source. The origin of the thorium-bearing material was unknown; the report postulated that its source was from some type of mineral extraction activity in the Niagara Falls area. The report stated that the 738 Upper Mountain Road anomaly was not related to materials connected with Niagara Falls Storage Site (NFSS), including materials that were transported to NFSS.

During a reconnaissance performed by the New York State Department of Health (NYSDOH) and New York State Department of Environmental Conservation (NYSDEC) on July 9, 2013, screening activities showed

radiation levels at 300 µR/hr with a hand-held pressurized ion chamber (PIC) and 105,000-110,000 counts per minute (CPM) with a sodium iodide (NaI) 2x2 scintillation detector; the singular reading was taken at the end of the driveway adjacent to Upper Mountain Road.

The Site was referred to the U.S. Environmental Protection Agency (EPA) by the NYSDEC and the NYSDOH on July 21, 2013 to assess the Site for a potential CERCLA response action

On December 12, 2013, USEPA Pre-Remedial Program and Weston Solutions, Inc. personnel collected a total of nine soil samples (including one environmental duplicate sample) and two slag samples from the Upper Mountain Road site. Soil samples were also collected from two locations suspected to be outside the influence of the area of observed contamination to document background conditions. At each sample location, soil samples were collected directly beneath slag material; at locations where a radioactive layer was not present, the soil sample was collected at the equivalent depth interval. The slag samples consisted of pulverized silty sand with rocks, cobbles, and gravel (i.e., radioactive waste material mixture) rather than singular pieces of slag.

The soil, slag, and aqueous rinsate blank samples were analyzed by Test America Laboratories for Target Analyte List (TAL) metals analyses, including mercury; isotopic thorium (IsoTh), isotopic uranium (IsoU), Radium-226, and Radium-228 by alpha spectroscopy; and radioisotopes by gamma spectroscopy. Analytical results indicate concentrations of radionuclides found in the slag and soil to be significantly higher than at background conditions.

On May 1 and 2, 2014, USEPA Pre-Remedial Program and Weston Solutions, Inc. personnel collected radon and thoron concentration measurements from locations on and in the vicinity of the 738 UMR Site. At the selected locations in background areas, above the source material, and off the source area, radon and thoron concentration measurements in picocuries per liter (pCi/L) were collected with RAD7 radon detectors. The radon and thoron measurements were collected at heights of one meter above the ground surface. There were no radon or thoron concentrations that exceeded the site-specific background, nor were there any adjusted concentrations that equaled or exceeded a value two standard deviations above the mean site-specific background concentration for that radionuclide in that type of sample.

Based on an evaluation of the above conditions, 738 Upper Mountain Road Site did not qualify for the National Priority List. However, it was determined that further assessment should be performed and the Site was referred to the USEPA Removal Program.

On September 23, 2016, OSC Daly was assigned as the lead On-Scene Coordinator (OSC) for 738 Upper Mountain Road Site to conduct the Removal Site Evaluation.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

From June 30, 2016 through August 13, 2017 the following tasks/events occurred:

On July 5, 2016, Dan Telvock newscast and article released regarding radioactive hot spots in Niagara County.

On July 14, 2016, Senator Schumer reacts to Dan Telvock report and request EPA Administrator to assess all radioactive hot spots in Niagara County. Report mentions NFB, HTC and 738 UMR sites. At this time, OSC Daly and HP Nguyen were requested by RPB/RAB Management to review Pre-Remedial data and other historical data to determine if further assessment and potential removal action is warranted. This property was referred to USEPA from New York State and exhibits similar radiological contamination characteristics as the Niagara Falls Boulevard Site and Holy Trinity Cemetery Site (Also in Lewiston, NY). The week of September 12, 2016, OSC Daly made contact with the property owners (Resident of 738 Upper Mountain Road and the property owner of the driveway that is utilized by the resident). Margo Ludmer (EPA ORC), has been communicating with the driveway property attorney.

On September 23, 2016, OSC Daly, HP Nguyen, OSC Magriples, RAB Chief Rotola, Angela Carpenter and RPM Andrew Fessler participated in a phone conference regarding UMR assessment history and next steps. It was determined that further assessment work was necessary to calculate risk via PRG. Access agreements are currently being requested. OSC Daly was made the lead for this assessment and potential removal action.

On September 30, 2016, OSC Daly, EPA ERT HP Nguyen and EPA ERT HP Kappelman visited 738 Upper Mountain Road and received the signed access agreement from the resident.

On October 11, 2016, Attorney Ludmer received the access agreement from property owner Talarico Brothers Properties.

On October 25, 2016, OSC and Weston performed gammas survey of both properties.

On October 28, 2016, sample points were marked out by OSC and Weston.

On October 31, 2016, Utility Mark Out of the proposed sampling point areas was requested. OSC Daly spoke to Union Carbide/Dow representative.

On November 07, 2016, the draft gamma survey figure was emailed to property owners.

On November 09, 2016, OSC Daly and 2 Weston personnel deployed to Steelworks Industrial Park Fire response and the Dan Telvock interview postponed.

On November 18, 2016, OSC Daly and Weston conducted soil sampling at 738 UMR Site.

On December 06, 2016, the on-site HPGe soil sampling analysis was complete.

On December 07, 2016, soil samples were shipped to certified fix laboratory.

On December 09, 2016, Reporter Dan Telvock conducted phone interview with OSC Daly.

On December 14, 2016, Reporter Dan Telvock conducted phone interview with EPA Public Official, Michael Basile.

On February 02, 2017, Reporter Dan Telvock conducted phone interview with EPA Health Physicist, Lyndsey Nguyen (Daly, Basile, & Rodriguez also on call).

On February 09, 2017, Dan Telvock Investigative Reporter news broadcast was aired.

On February 23, 2017, the preliminary soil sample results from the fixed laboratory were received.

On June 27, 2017, the soil sample results table was received from Weston.

On June 29, 2017, preliminary PRG calculations started.

On July 13, 2017, OSC sent email regarding status of Niagara County Sites to property owners, local & state agencies.

On August 08, 2017, OSC Daly contacted resident at 738 UMR site to schedule gamma survey and radon canister sampling. Property attorney was also contacted.

On August 9, 2017, Reporter Dan Telvock discussed Niagara County Site status with OSC Daly and Mike Basile via phone interview. Mike Basile will work with Public Affairs Office with any future media requests during this inactive phase.

On August 11, 2017, OSC Daly, HP Nguyen, & Weston conducted gamma survey of interior home. There were no elevated gamma readings above background. The radon specialist placed radon canisters throughout the home. Pick up scheduled for 08/14/2017.

2.1.2 Response Actions to Date

There are no planned response activities at this time.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

PRPs are being investigated by USEPA Enforcement Team

2.1.4 Progress Metrics

<i>Waste Stream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Manifest #</i>	<i>Treatment</i>	<i>Disposal</i>

2.2 Planning Section

2.2.1 Anticipated Activities

Pick up radon canisters at resident home.

Review radon data.

Run PRG calculations.

2.2.1.1 Planned Response Activities

No Response Activities planned.

2.2.1.2 Next Steps

2.2.2 Issues

2.3 Logistics Section

No information available at this time.

2.4 Finance Section

No information available at this time.

2.5 Other Command Staff

No information available at this time.

3. Participating Entities

3.1 Unified Command

3.2 Cooperating Agencies

NYS DEC

NYS DOH

Niagara County DOH

4. Personnel On Site

OSC Daly

EPA ERT Health Physicist Lyndsey Nguyen

Weston

5. Definition of Terms

No information available at this time.

6. Additional sources of information

No information available at this time.

7. Situational Reference Materials

No information available at this time.